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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,591	03/15/2004	Jerome Maillard	0512-1203	8265
466	7590	01/10/2008		
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER HAMO, PATRICK	
			ART UNIT 3746	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/799,591

Applicant(s)

MAILLARD ET AL.

Examiner

Patrick Hamo

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7,8,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7,8,15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to amendments filed on October 23, 2007.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7-8 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Couetoux et al., Pat. No. 6,158,979.

Couetoux discloses a module for cooling a front unit of a motor vehicle comprising a heat exchanger 32 and a ventilation assembly (motor-fan unit 24) for a motor vehicle comprising a fan 28, a support 30 for mounting the fan in a motor vehicle and means 12, 14, 18 for securing the fan to the mounting support, the fan comprising a helix (blades of the fan, an intersection of which is shown in fig. 2) and a motor 26 for driving the helix in rotation, the securing means comprising a collar 14 for the radial clamping of the motor, the securing means further comprising a wedging block (ring support 12, with wedge-shaped arms 18 extending from ring support 12) which is inserted between the motor 26 and the substantially rigid (col. 4, ll. 26-28) collar 14 in order to clamp the motor radially.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1, 7, 8, 15 and 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Couetoux et al., Pat. No. 6,158,979.

Couetoux discloses a module for cooling a front unit of a motor vehicle comprising a heat exchanger 32 and a ventilation assembly (motor-fan unit 24) for a motor vehicle comprising a fan 28, a support 30 for mounting the fan in a motor vehicle and means 12, 14, 18 for securing the fan to the mounting support, the fan comprising a helix (blades of the fan, an intersection of which is shown in fig. 2) and a motor 26 for driving the helix in rotation, the securing means comprising a collar 14 for the radial clamping of the motor, the securing means further comprising a wedging block (ring support 12, with wedge-shaped arms 18 extending from ring support 12) which is inserted between the motor 26 and the substantially rigid (col. 4, ll. 26-28) collar 14 in order to clamp the motor radially.

Couetoux does not explicitly disclose that the collar is integral with the support or a motor vehicle.

However, Couetoux teaches that the outer support (collar) 14 is adapted to be fixed to the body (support) 30 and that the invention concerns "a device for fixing a

motor-fan unit to a component of a motor vehicle... in particular to a radiator for cooling a motor vehicle internal combustion engine" (col. 1, ll. 10-13). Using a one-piece structure instead of the affixed collar and support is an obvious matter of engineering design choice and fails to patentably distinguish over the prior art of Couetoux. See MPEP § 2144.04(5)(b). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to have mounted the fan-motor unit of Couetoux to a motor vehicle in order to cool its engine.

Response to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Hamo whose telephone number is 571-272-3492. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on 571-272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paty Jann

PH

DEVON C. HARRIS
PATENT EXAMINER

Dwan Harris
1/2/05